

REMARKS

Reconsideration of the application in light of the following remarks is respectfully requested.

Status of the Claims

Claims 1 and 4-25 are pending, with claims 8-18 and 23-25 having been previously withdrawn. Claims 2 and 3 were previously cancelled. No new matter has been added.

Objection to the Specification

The Examiner has objected to the Specification and contends that the July 14, 2005 Amendment to the Specification introduces new matter into the disclosure. Applicants respectfully traverse the objection.

First, the Examiner contends that the July 14th Amendment to the paragraph beginning on page 4, line 23 to replace the ratio “L/H” with the ratio “H/L” introduces new matter.

Applicants respectfully disagree. In particular, Applicants note that on page 3, line 4 of the originally-filed Specification recites “the ratio H/L is 0.3 or greater.” In addition, page 10, lines 12-13 of the originally-filed Specification recite that “[t]he design of device 100 is controlled as described above with regard to H/L.” Furthermore, page 14, lines 18-19 of the originally-filed Specification recite that “[t]he design of this semiconductor device is controlled as described above with regard to H/L.”

Thus, Applicants submit that it is clear that the present invention is directed to features of the semiconductor device with regard to the H/L ratio, as noted above. These features of the H/L ratio

are further described and set forth in the data illustrated in Table 1, as well as in the originally-filed Abstract and claim 1.

The Examiner also contends that, because of the July 14th Amendment of “L/H” to “H/L,” the described ranges of between “0.45 to 1.5, and more preferably it is between 0.5 and 1.25” also constitutes new matter.

Applicants respectfully disagree. As discussed above, the originally-filed Specification clearly provides support for the recited features of the H/L ratio. Furthermore, the examples described in the Specification on page 16, line 8 through page 18, line 9 and the data listed in Table 1 clearly provide support for the claimed ranges of the H/L ratio. In particular, Table 1 denotes the rate of temperature increase with respect to a variety of samples, along with the corresponding H/L ratio. Accordingly, Applicants respectfully submit that the originally-filed Specification provides adequate and sufficient support for the claimed ranges of the H/L ratio.

As demonstrated above, Applicants respectfully submit that the July 14th Amendment was directed to correct a typographical error, and does not constitute new matter. Applicants respectfully request reconsideration of the withdrawal.

Rejection under 35 U.S.C. §112

Claims 1, 4-7, and 19-22 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

The Examiner contends that the feature of the “ratio of H/L is greater than 0.3 but less than 1.25” is not supported by the Specification. In particular, the Examiner contends that the Specification lacks support for the feature that the H/L ratio is less than 1.25.

Applicants respectfully disagree. Applicants note that Table 1 clearly illustrates a variety of samples and their respective H/L ratios and rate of temperature increase. As discussed in the Specification on page 16, line 23 through page 17, line 17, it is preferable that the rate of temperature increase is less than 20%. In particular, Samples 5-7, which have a corresponding H/L ratio of 0.5, 0.75, and 1.25, respectively, each have a rate of temperature increase of 5% or less. By way of contrast, Sample 2, which has a corresponding H/L ratio of 0.2, has a rate of temperature increase that exceeds 20%. As discussed in the Specification, it is preferred to have the rate of temperature increase be suitably controlled so as to ensure the heat releasing properties of the samples. *See*, Specification, page 17, lines 10-17.

As demonstrated above, Applicants submit that the originally-filed Specification clearly provides support for the features of “ratio of H/L is greater than 0.3 but less than 1.25” recited in claims 1, 4-7, and 19-22. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Each and every point raised in the Office Action dated April 20, 2007 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1 and 4-25 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: July 19, 2007

Respectfully submitted,

By JB
Thomas J. Bean

Thomas J. Bean

Registration No.: 44,528

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant